26th November 1949]

THE HON. SRI M. BHAKTAVATSALAM :—" I move, Sir—

'*that the Tuticorin Port Trust (Amendment) Bill, 1949, be passed into law*'."

THE DEPUTY SPEAKER :—" The question is—

' that the Tuticorin Port Trust (Amendment) Bill, 1949, be passed into law '."

The motion was carried and the Bill was passed into law.

(11) THE MADRAS REGISTRATION OF BIRTHS AND DEATHS (AMENDMENT) BILL, 1949 (L.A. BILL NO. 37 OF 1949).

* THE HON. SRI K. MADHAVA MENON :—" Sir, I move—

'*that the Madras Registration of Births and Deaths (Amendment) Bill* [a], 1949, (*L.A. Bill No.* 37 *of* 1949), *as passed by the Legislative Assembly be taken into consideration at once.*'

" Under the present Act any person who pays a fee of four annas for each day is entitled to come and search the register of Births and Deaths. The practice of allowing any and every person to handle this very valuable register is very risky and undesirable from very many points of view. So we are bringing the amendment which in two ways is very advantageous to the party. In one case, if the party under the present conditions wants to search, he has to pay four annas for each day and if the search goes on for the next day, he should again pay four annas for the next day. Secondly if the party concerned sends the prescribed fees and the postal charges, the party need not go and search; it will be done by the Registrar and the extract sent to the party. That is the normal procedure. It is not desirable to allow the parties to handle the documents."

THE DEPUTY PRESIDENT :—" Motion moved—

' that the Madras Registration of Births and Deaths (Amendment) Bill, 1949 (L.A. Bill No. 37 of 1949), as passed by the Legislative Assembly be taken into consideration at once '."

DR. V. K. JOHN :—" I complement the Government on their wisdom. "

THE DEPUTY PRESIDENT :—" The question is—

' that the Madras Registration of Births and Deaths (Amendment) Bill, 1949 (L.A. Bill No. 37 of 1949), as passed by the Legislative Assembly be taken into consideration at once '."

The motion was carried.

Clauses 2, 1 and the Preamble were put and carried.

* THE HON. SRI K. MADHAVA MENON :—" Sir, I move—

'*that the Madras Registration of Births and Deaths (Amendment) Bill*, 1949, *be passed into law*.'

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[a] Printed as Appendix XV on page 709 infra.

"It is gratifying indeed, Sir, that the Leader of the Opposition has complemented the Government."

THE DEPUTY PRESIDENT :—" The question is—

'that the Madras Registration of Births and Deaths (Amendment) Bill, 1949, be passed into law'."

The motion was carried and the Bill was passed into law.

(12) THE PROVINCIAL SMALL CAUSE COURTS (MADRAS AMENDMENT) BILL, 1949 (L.A. BILL NO. 38 OF 1949).

3-45 p.m. * THE HON. SRI K. MADHAVA MENON :—" Mr. Deputy President, I move—

'*that the Provincial Small Cause Courts (Madras Amendment) Bill*[a] *as passed by the Legislative Assembly be taken into consideration at once.*'

"Sir, the object of the Bill is to correct a mistake that has crept in, in the matter of grant of vacation to the additional small cause courts in the districts. Till 1946, district munsifs and subordinate judges were being invested with small cause powers under section 28 of the Madras Civil Courts Act, 1873. The civil courts were having vacation under the Civil Courts Act. There is no provision in the Provincial Small Cause Courts Act for vacations being granted to courts constituted under that Act. In 1946, the Government on the suggestion of the High Court invested District Munsifs and Official Receivers with small cause powers under the Provincial Small Cause Courts Act. These courts enjoyed vacation though they were not entitled to it under the Act. It is a mistake. The High Court suggested to the Government that it may be rectified. The Bill makes provision for the grant of vacation from the date the courts were invested with powers under the Act."

THE DEPUTY PRESIDENT :—" Motion moved—

'that the Provincial Small Cause Courts (Madras Amendment) Bill, 1949 (L.A. Bill No. 38 of 1949), as passed by the Legislative Assembly be taken into consideration at once'."

DR. V. K. JOHN :—" Sir, in my opinion the provision made here is a very desirable one. I support it."

The motion that the Bill be taken into consideration at once was put and carried.

Clauses 2, 1 and the Preamble were put one by one and carried.

* THE HON. SRI K. MADHAVA MENON :—" I move, Sir, that the Bill be passed into law. I have heard the Leader of the Opposition condemning us outright for passing legislation which is retro-active or retrospective in its effect. I am very glad to hear the Hon. the Leader of the Opposition say that this Bill is a very desirable one."

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[a] Printed as Appendix XVI on page 710 infra.